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SENATE }

REPORT
No. 1478

ANGELA MARIA

MAY 25, 1960.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H.R. 8888]

The Committee on the Judiciary, to which was referred the bill (H.R. 8888) for the relief of Angela Maria, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

AMENDMENT

On line 11, change the period to a colon and add the following:

And provided further, That the exemptions granted herein shall apply only to grounds for exclusion of which the Department of State or the Department of Justice have knowledge prior to the enactment of this Act.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant to the 20-year-old stepdaughter of a U.S. citizen the status of a nonquota immigrant, to which status she would have been entitled had she been under the age of 18 years when the marriage creating the status of stepchild occurred. The bill also waives the excluding provisions of existing law relating to one suffering a defect likely to affect the ability to earn a living, and one likely to become a public charge at any time. The bill

further provides for the posting of a bond as a guaranty that the beneficiary will not become a public charge. The amendment is technical and limits the grounds for exclusion to those known prior to enactment of this act.

STATEMENT OF FACTS

The beneficiary of the bill is a 20-year-old native of Jamaica, and she is the stepchild of Larry Keighley, a U.S. citizen. Her mother is a lawful resident of the United States. The beneficiary is deaf, but has attended good schools, including St. Joseph's Institute for the Deaf in St. Louis, Mo., from 1948 until 1956. She has learned to speak and has the equivalent of a seventh grade education. The beneficiary and her brother, a lawful permanent resident who also suffers from a hearing and speech defect, are recipients of a trust fund, and the beneficiary's mother and stepfather have substantial assets to provide for their childrens' welfare.

A letter, with attached memorandum, dated November 2, 1959, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., November 2, 1959.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H.R. 8888) for the relief of David John Maria, Angela Maria, and John Elias Maria, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the Philadelphia, Pa., office of this Service, which has custody of those files.

The bill would confer nonquota status upon the minor stepchildren of a citizen of the United States. In addition, it would exempt the beneficiaries from the provisions of the Immigration and Nationality Act which exclude from admission into the United States aliens who have a physical defect, disease, or disability of such a nature that it may affect their ability to earn a living, and aliens who are likely at any time to become public charges. The bill would also require that a bond be deposited to insure that the beneficiaries shall not become public charges. The bill fails to limit the exemptions granted the beneficiaries to grounds for exclusion known to the Department of Justice or the Department of State prior to its enactment.

The beneficiary, John Elias Maria, has been found eligible for non-quota status in the issuance of an immigrant visa. The beneficiaries, David John Maria and Angela Maria, would be chargeable to the quota for Jamaica, a subquota of the quota for Great Britain.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE DAVID JOHN MARIA,
ANGELA MARIA, AND JOHN ELIAS MARIA, BENEFICIARIES
OF H.R. 8888

Information concerning this case was obtained from Lawrence Keighley, the stepfather of the beneficiaries.

The beneficiaries, who are members of a single family, are deaf. They were born at Kingston, Jamaica, and are subjects of Great Britain. They are unmarried and reside at Trade Winds, Tower Isle, Jamaica. The beneficiaries are not employed. They receive \$1,200 a year from a trust fund established for them by their grandfather, Elias Issa. The beneficiaries are supported by their mother and stepfather.

The beneficiary, David John Maria, was born on December 12, 1938. He entered the United States as a visitor in 1944 and attended St. Joseph's Institute for the Deaf, St. Louis, Mo. until 1956. He has learned to speak and has completed the eighth grade of elementary school. He was employed as a stock clerk at Kingston, Jamaica, from January 1958 until December 1958.

The beneficiary, Angela Maria, was born on February 8, 1940. She entered the United States in 1948 as a visitor and attended St. Joseph's Institute for the Deaf, St. Louis, Mo. until 1956. She also attended the Wigston Hall Finishing School, Leicestershire, England, from 1956 until June 1959. She has learned to speak and has completed the equivalent of the seventh grade of elementary school.

The beneficiary, John Elias Maria, was born on August 28, 1941. He entered the United States as a visitor in 1948 and attended St. Joseph's Institute for the Deaf, St. Louis, Mo. until 1954. He attended Miss Rutter's School for the Deaf, Worcestershire, England, from 1954 until June 1959. He has learned to speak and can hear with a hearing aid.

The beneficiaries' mother, Mrs. Anne Josephine Keighley, whose maiden name was Anne Josephine Issa, is a subject of Great Britain. She was born on June 26, 1912, at Kingston, Jamaica. She completed elementary school and high school and attended college in Beirut, Lebanon, for 3 years. Her mother is deceased. Her father, Elias Issa, resides at Kingston, Jamaica. Mrs. Keighley has been married on two occasions. Her first marriage was to John Edward Maria, the father of the beneficiaries, on October 14, 1936. Mrs. Keighley obtained a divorce from John Edward Maria at Kingston, Jamaica, on December 4, 1953, on the ground of desertion. In addition to the beneficiaries, a daughter, Mary Anne, was born of this marriage. She is 22 years of age and resides in Jamaica. Mrs. Keighley's marriage to Lawrence Keighley occurred on September 26, 1958, at Norristown, Pa. She was assistant manager of the Tower Isle Hotel from 1955 until her marriage in 1958. She is not now employed. Mrs. Keighley's assets consist of real estate in Jamaica valued at \$150,000. She receives an income of \$400 monthly from a

trust fund established by her father, who is indicated to be one of the owners of the Issa Bros. Department Store, Kingston, Jamaica. Mrs. Keighley was admitted to the United States for permanent residence on November 16, 1958, and makes her home with Mr. Keighley at Union Meeting Road, Blue Bell, Pa. However, she is temporarily residing at Trade Winds, Tower Isle, Jamaica, in order to care for the beneficiaries.

The beneficiaries' stepfather, Lawrence Keighley, was born on December 27, 1906, in England. He entered the United States for permanent residence on September 13, 1907, and became a citizen of this country through the naturalization of his father on November 7, 1917. Mr. Keighley has been self-employed as a photographer since 1944. His net income is approximately \$12,000 a year. His assets consist of his home at Blue Bell, Pa., valued at \$30,000, in which he has an equity of \$15,000, photographic equipment valued at \$10,000, household furnishings valued at \$15,000, and \$5,000 in cash. Mr. Keighley was previously married to Dorothy Sasse on March 14, 1928. That marriage was terminated by her death on July 6, 1957. A daughter, Mrs. Mary Del Bright, who was born of that marriage, resides in Lafayette Hills, Pa.

A petition filed by Lawrence Keighley to grant John Elias Maria nonquota status in the issuance of an immigrant visa was approved by this Service on August 21, 1959. Petitions filed by Mrs. Keighley to grant David John Maria and Angela Maria third preference in the issuance of immigrant visas were approved by this Service on June 17, 1959, and August 21, 1959, respectively. However, the third preference portion of the quota for Jamaica is oversubscribed.

The following additional report dated November 10, 1959, was submitted to the chairman of the Committee on the Judiciary of the House of Representatives concerning the bill:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., November 10, 1959.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This refers to H.R. 8888, 86th Congress, in behalf of David John Maria, Angela Maria, and John Elias Maria.

Since submitting our report in this case, information has been received from Mr. Lawrence Keighley, the stepfather of the beneficiaries, that the beneficiary, David John Maria, has elected to remain in Jamaica and that the beneficiary, John Elias Maria, was admitted to the United States for permanent residence on October 11, 1959. Mr. Keighley has requested that their names be removed from the bill.

Sincerely,

J. M. SWING, *Commissioner.*

The Acting Director of the Visa Office, Department of State, submitted the following report dated October 8, 1959, to the chairman of the Committee on the Judiciary of the House of Representatives:

DEPARTMENT OF STATE,
Washington, October 8, 1959.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives.

DEAR MR. CHAIRMAN: I refer to your letter of September 2, 1959, requesting a report on H.R. 8888, 86th Congress, for the relief of David John Maria, Angela Maria, and John Elias Maria, introduced by Mr. Walter on August 26, 1959. The bill would make the beneficiaries the children of Larry Keighley, a citizen of the United States, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, and would provide relief from the excluding provisions of section 212(a)(7) and (15) of the act.

According to information received from the American consulate general at Kingston, Jamaica, David John Maria was born on December 12, 1938, at Kingston. He was born deaf, and although not mute, has a severe speech handicap which makes it difficult for him to be understood. His attendance at St. Joseph's Institute for the Deaf at University City, Mo., from 1942 to 1954, and at St. George's College, Kingston, from 1954 to 1956, gives him the equivalent of 2 years of high school. Subsequently he studied bookkeeping and during 1958 and 1959 he worked in the stockroom at Issa's Retail, Ltd., Kingston. At present he is unemployed and lives at home with his mother at Trade Winds, Tower Isle P.O., St. Mary, Jamaica. He is single. Aside from the above-mentioned handicap the beneficiary is in excellent health.

He is the beneficiary of an approved petition filed by his mother with the Immigration and Naturalization Service, and is registered as of June 15, 1959, under the third preference portion of the subquota for Jamaica, which is oversubscribed. Consequently, a protracted period of waiting must be anticipated before active consideration could be given to his case.

Angela Abigail Maria was born on February 8, 1940, at St. Andrew, Jamaica. She was born with defective hearing and speech. She is not mute but is very difficult to understand. She attended St. Joseph's Institute for the Deaf at University City, Mo., from 1943 to 1956, when she went to the Servite Convent, Brown's Town, Jamaica, until 1957. She went to finishing school at Wigston Hall, Wigston, Leicestershire, England, from 1957 to 1959. Her educational background is the equivalent of about 2 years of high school. She is presently residing with her mother. Aside from the handicap referred to above she is in good health. She is single.

She is also the beneficiary of an approved petition filed by her mother, and is registered as of August 14, 1959, under the third preference portion of the subquota for Jamaica.

John Elias Maria was born on August 28, 1941, at St. Andrew, Jamaica. He is single. He also has a congenital hearing and speech defect, but can lipread and hears quite well with a hearing aid. He is not mute, but it is very difficult to understand him when he speaks.

He attended Summerfield School for the Deaf at Malvern Lake, Worcestershire, England, from 1955 to 1959. He learned silver-smithing and woodworking. His education is equivalent to eighth grade and he is now ready for high school. Except for the above-described handicap he is in excellent health. He is entitled to non-quota status under section 101(a)(27)(A) of the Immigration and Nationality Act, as he was under 18 years of age when his mother married his stepfather on September 26, 1958. He is the beneficiary of an approved nonquota petition filed by his stepfather, Lawrence Keighley.

Since the beneficiaries are children of a well-to-do family and are the recipients of a trust fund, the responsible consular officer has stated that there is little likelihood of their becoming a public charge. Hence, it appears that the consular officer has found that the provisions of section 212(a)(7) and (15) would not be applicable insofar as the beneficiaries are concerned. As a consequence, the consular officer contemplates issuing a nonquota immigrant visa to John Elias Maria in the near future in order that he may be able to attend school in the United States.

In view of the foregoing, you may wish to have the name of John Elias Maria deleted from the bill.

Sincerely yours,

ROBERT J. CAVANAUGH,
Acting Director, Visa Office.

Congressman Francis E. Walter, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and testified in support of the bill, and submitted the following letter from the beneficiary's father:

BLUE BELL, PA., August 29, 1959.

HON. FRANCIS E. WALTER,
House of Representatives, Washington, D.C.

DEAR MR. WALTER: I wish to express my appreciation and deep gratitude to you for introducing the bill to admit my three step-children, David, John, and Angela Maria to the United States. My wife, Anne, who is at present in Jamaica with her children, will be overjoyed when I tell her this good news, and I know she will be everlastingly grateful for your kindness and interest in our problem.

The children will make very good citizens; all have keen minds and their deafness has not depressed their personalities. Fortunately my wife has been able to afford to send them to good schools for the deaf, in St. Louis, Mo., during their earlier years and later in England. They read lips perfectly, so well that many people do not at first realize they are deaf, and their speech is excellent for persons with their handicap.

We plan to enroll them in courses of special training here in order that they may learn a business and eventually become self-supporting. My wife and I are financially able to do this; my business as a Saturday Evening Post special assignment photographer is fairly successful and my wife has an income from properties in Jamaica. The three children also have an income of £450 each per year from a trust fund set up by their grandfather, Elias Issa, of Kingston, Jamaica. There is no danger of them ever becoming public wards.

In the very near future I hope to have the pleasure of meeting you and thanking you for your kind attention to this matter.

With very best personal regards, I am,

Yours very sincerely,

LAWRENCE KEIGHLEY.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H.R. 8888), as amended, should be enacted.



